

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11CV146-RJC-DSC**

CHRISTINE RIVERS,)	
)	
Plaintiff,)	
)	
v.)	<u>MEMORANDUM AND ORDER</u>
)	
TIME WARNER CABLE, INC.,)	
)	
Defendant.)	
<hr/>)	

THIS MATTER is before the Court on “Defendant’s Motion to Compel Plaintiff’s Discovery Responses” (document #13) and “Memorandum ... in Support ...” (document #14), both filed February 7, 2012. The pro se Plaintiff has not responded to the subject Motion and the time for filing a response has expired.

This Motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B), and is now ripe for the Court’s consideration.

For the reasons stated in its Motion and supporting brief, the Court grants Defendant’s Motion to Compel.

Dismissal and the imposition of monetary sanctions are remedies available under Rule 37 for a party’s failure to obey rules governing discovery and orders of the District Court. See Fed. R. Civ. P. 37(b)(2)(C); National Hockey League v. Metro. Hockey Club, 427 U.S. 639, 643 (1976); Mutual Fed. Sav. & Loan v. Richards & Assocs., 872 F.2d 88, 92 (4th Cir. 1989); and Wilson v. Volkswagen of America, Inc., 561 F.2d 494, 504-04 (4th Cir. 1977).

Accordingly, the Court warns Plaintiff that failure to provide a full and complete response

to Request Number Eight of Defendant's First Requests for Production of Documents or failure to respond to any other of Defendant's reasonable discovery requests, or to otherwise comply fully with any of the Court's Orders, the Local Rules, or the Rules of Civil Procedure may result in the imposition of sanctions. **Sanctions may include Plaintiff being ordered to pay Defendant's costs, including reasonable attorney's fees in their entirety, and may also include dismissal of the Complaint with prejudice.**

NOW THEREFORE, IT IS ORDERED:

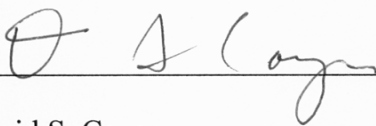
1. "Defendant Motion to Compel Plaintiff's Discovery Responses" (document #13) is **GRANTED**. Within fifteen (15) days of the date of this Memorandum and Order, Plaintiff shall provide a full and complete response to Request Number Eight of Defendant's First Requests for Production of Documents.

2. The parties shall bear their own costs at this time.

3. The Clerk is directed to send copies of this Memorandum and Order to the pro se Plaintiff; to defense counsel; and to the Honorable Robert J. Conrad, Jr.

SO ORDERED.

Signed: February 28, 2012

A handwritten signature in black ink, appearing to read "D. S. Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

